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December 29, 2022

BY ECF

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v. Roger Thomas Clark*,
S2 15 Cr. 866 (SHS)

Dear Judge Stein:

I write in my capacity as legal advisor / standby counsel to *pro se* defendant Roger Thomas Clark.

Mr. Clark requests that the Court adjourn the current sentence date of January 26, 2023, and instead hold a status conference at which he can address the Court, and at which a new schedule can be set. He also requests adjournment of the briefing schedule, which requires him to make his supplemental sentencing submission by tomorrow. Mr. Clark requests this relief because he has not been able to prepare for his sentencing proceeding since being transferred from a rehabilitation center to the MDC on August 8, 2022, due to his medical condition and lack of adequate care, and because his legal research and work product has been taken from him.

A separate reason that the Court should adjourn the sentencing schedule is to allow Mr. Clark to reply to the Government's latest letter, submitted yesterday while I was visiting with him at the MDC, and of which he is not yet aware. (Government Letter dated 12/28/2022, "Letter"). This Letter was written in response to the Court's Order, made more than three months prior, directing the Government to reply to allegations set forth in Mr. Clark's August 30, 2022 submission. (ECF Do. No. 157). The Letter, including 89 pages of medical records, purports to refute Mr. Clark's claims of inhumane treatment by the Bureau of Prisons as well as his account

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of his recent medical condition. Both of these issues are highly relevant to sentencing and Mr. Clark should be given a full opportunity to respond.¹

Respectfully yours,

A handwritten signature in black ink, appearing to be 'E. Lipton', with a long horizontal stroke extending to the right.

Evan L. Lipton

Legal Advisor / Standby Counsel to Roger Clark

Cc: Roger Thomas Clark

(by United States Mail and hand delivery)

¹ The Government's Letter indicates that it was sent to Mr. Clark by United States Mail. Due to the holidays it is unlikely that he will receive it before Tuesday, January 3, 2023.